

FILED  
11/27/24 1:53 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: : Case No: 23-10588-GLT  
: Chapter 13  
: Related to Docket No. 746 and 84  
Robert Campbell McCall, III, :  
Debtor, :  
: Robert Campbell McCall, III, :  
Movant, :  
: vs. :  
: PNC Bank, National Association, :  
PNC Bank, N.A., :  
Widget Financial, :  
LVNV Funding, LLC :  
and :  
Ronda J. Winnecour, Esquire, :  
Chapter 13 Trustee, :  
Respondents. :  
:

MODIFIED

**ORDER CONFIRMING SALE OF REAL PROPERTY**  
**FREE AND DIVESTED OF LIENS**

AND NOW, this 27th day of November 2024, on consideration of the *Motion for Sale of Real Property Free and Divested of Liens*, filed at Document No. 76, to Allison Enzbrenner for \$149,900.00 after hearing held in U.S. Bankruptcy Court, Courtroom A, 54th Floor U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA, 15219, on this date, the Court finds:

(1) That service of the *Notice of Hearing* and *Order* setting hearing on said *Motion* for private sale of real property free and divested of liens of the above-named Respondents, was effected on the following secured creditors whose liens are recited in said *Motion/Complaint* for private sale, viz:

**DATE OF SERVICE**

**NAME OF LIENOR AND SECURITY**

October 14, 2024

PNC Bank, National Association  
Attn: Bankruptcy Department  
3232 Newmark Drive  
Miamisburg, OH 45342

**October 14, 2024**      **Allison Enzbrenner - Purchaser**  
5215 Exerter Road  
Erie, PA 16509

**October 14, 2024**      **Robert Campbell McCall, III - Seller**  
1703 West 38<sup>th</sup> Street  
Erie, PA 16508

**October 14, 2024**      **Erie County Tax Claim Bureau**  
140 West 6<sup>th</sup> Street  
Erie, PA 16501

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of service duly filed and that the named parties were duly served with the Motion/Complaint.

(3) No print advertising is necessary as the result of the sale is a one hundred percent (100%) distribution to unsecured creditors.

(4) That at the sale hearing the highest/best offer received was that of the above Purchaser(s) and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$149,900.00 offered by Allison Enzbrenner was a full and fair price for the property in question.

(6) That the Purchaser(s) has acted in good faith with respect to the within sale in accordance with *In re Abbotts Dairies of Pennsylvania, Inc.*, 788 F2d. 143 (3d Cir. 1986).

**NOW THEREFORE**, it is hereby **ORDERED, ADJUDGED AND DECREED** that the sale by Special Warranty deed of the real property described as **the property located at 1703 West 38<sup>th</sup> Street, Erie, PA 16508, Tax ID #: 19-061-072.0-313.00, Erie County PA** described, as found in **Deed Book 2017, Deed Page 007489** is hereby **CONFIRMED** to **Allison Enzbrenner, 5215 Exerter Road, Erie, PA 16509** for **\$ 149,900.00**, free and divested of the above recited liens and claims, and, that the Movant/Plaintiff is authorized to make, execute and deliver to the Purchaser(s) above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

It is ***FURTHER ORDERED***, that the above recited liens and claims, be, and they hereby are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

It is ***FURTHER ORDERED***, that the following expenses/costs shall immediately be paid at the time of closing. *Failure of the Closing Agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions*, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this *Order*. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.

(1) The following lien(s)/claim(s) and amounts:

PNC Bank, National Association Primary Mortgage: \$47,443.48

(2) Delinquent real estate taxes, if any; -----  
(3) Current real estate taxes, pro-rated to the date of closing; -----  
(4) The costs of local newspaper advertising in the amount of: None;  
(5) The costs of legal journal advertising in the amount of: None;  
(6) The Court approved realtor commission in the amount of \$8994.00  
(7) Court approved attorney fees in the amount of \$750.00  
(8) The Chapter 13 Trustee shall be paid \$15,000.00 to address all unsecured claims and the associated Chapter 13 Trustee fees on the instant case;  
(9) The Chapter 13 Trustee shall be paid \$6.96 in direct fees;  
(10) The Debtor shall remain responsible for the plan base if these funds do not satisfy the requirement following the trustee disbursement;  
(11) The balance of funds realized from the within sale shall be paid to the Debtor;  
(12) The Chapter 13 Trustee is authorized to issue a refund to the Debtor following the 100% distribution to creditors and payment of Chapter 13 Trustee fees.

It is ***FURTHER ORDERED*** that:

(1) *Within seven (7) days of the date of this Order*, the Movant/Plaintiff shall serve a copy of the within *Order* on each Respondent/Defendant (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney for the debtor, the Closing Agent, the Purchaser, and the attorney for the Purchaser, if any, and file a certificate of service.

(2) *Closing shall occur within thirty (30) days of this Order.*

- (3) *Within seven (7) days following closing*, the Movant/Plaintiff shall file a *Report of Sale* which shall include a copy of the HUD-1 or other Settlement Statement; and,
- (4) This *Sale Confirmation Order* survives any dismissal or conversion of the within case.

Dated: 11/27/24

cm: Debtor



\_\_\_\_\_  
Gregory J. Taddomino, Judge  
United States Bankruptcy Court

In re:  
Robert Campbell McCall, III  
Debtor

Case No. 23-10588-GLT  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-1

User: auto

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Date Rcvd: Nov 27, 2024

Form ID: pdf900

Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol** **Definition**

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 29, 2024:**

Recip ID	Recipient Name and Address
db	+ Robert Campbell McCall, III, 16901 Desmarest Street, Gulfport, MS 39503-4470

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 29, 2024

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 27, 2024 at the address(es) listed below:

Name	Email Address
Daniel P. Foster	on behalf of Debtor Robert Campbell McCall III dan@mrdebtbuster.com, katie@mrdebtbuster.com;marci@mrdebtbuster.com;kristen@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com
Denise Carlon	on behalf of Creditor PNC Bank National Association dcarlon@kmllawgroup.com
Michelle L. McGowan	on behalf of Creditor PNC Bank National Association mimcgowan@raslg.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Robert Shearer	on behalf of Creditor PNC Bank National Association rshearer@raslg.com
Ronda J. Winneccour	

District/off: 0315-1

User: auto

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Date Rcvd: Nov 27, 2024

Form ID: pdf900

Total Noticed: 1

cmevf@chapter13trusteewdpa.com

TOTAL: 6